

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Species I in the reply filed on 7/23/2009 is acknowledged.

Claims 2 and 6-9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected embodiment, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 7/23/2009.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 5 recite "the movable partition chamber". There is insufficient antecedent basis for this limitation in the claims.

Claim 4 recites "when N switching valves are connected to the equilibrium chamber and F is the frequency of the inputted vibration from the vibration-generating portion, each of the plurality of the switching valves is successively and selectively operated substantially at the cycle of N/F." The functional recitation has not been linked

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to any structure, so it is not clear what structure is required by the claim. It is also not clear what is required if the "when" condition is not met. The recitation has been given little weight.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-089615.

JP 2002-089615 discloses all the limitations of the instant claims including; a first mounting member 18 which is connected to one of a vibration-generating portion and a vibration-receiving portion; a second mounting member 20 which is connected to the other of the vibration-generating portion and the vibration-receiving portion; an elastic body 22 which is disposed between the first mounting member and the second mounting member and which is elastically deformed due to inputted vibration from the vibration-generating portion; a pressure-receiving liquid chamber 54 whose partition is partially formed by the elastic body and whose internal volume expands or contracts due to the deformation of the elastic body; a sub-liquid chamber 56 or 70 which communicates with the pressure-receiving liquid chamber through a limiting path such that liquid can flow mutually between the pressure-receiving liquid chamber and the sub-liquid chamber; a movable partition portion 40 which forms a part of the partition of

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the pressure-receiving liquid chamber, and which is movably supported in a direction in which the internal volume of the pressure-receiving liquid chamber expands or contracts; an equilibrium chamber 44 which is disposed adjacent to the pressure-receiving liquid chamber, through the movable partition chamber; a switching valve 78 and 80 which is connected to the equilibrium chamber, and which is connected to a negative pressure supply source 86 and an atmospheric pressure supplying source, respectively, to permit the equilibrium chamber to communicate with one of the negative pressure supply source and the atmospheric pressure supply source; and a control means 82 which controls the switching valve to alternatively introduce negative pressure and an atmospheric pressure into the equilibrium chamber synchronous with the inputted vibration from the vibration-generating portion, wherein a plurality of the switching valves 78 and 80 is connected to the equilibrium chamber, and is successively and selectively operated by the control means synchronous with the inputted vibration from the vibration-generating portion.

Regarding claim 3, see figures 1 or 4.

Regarding claim 4, see the 112 2nd rejection above. The valves of JP 2002-089615 are capable of being controlled as recited.

Regarding claim 5, see figure 4.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Muramatsu et al (US# 6902156).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley T. King whose telephone number is (571) 272-7117. The examiner can normally be reached on 11:00-7:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bradley T King/
Primary Examiner, Art Unit 3657

BTK